

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

**PUBLIC VERSION  
FILED JULY 17, 2007**

**DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF  
CALLAWAY GOLF COMPANY'S PROFFER REGARDING ITS  
REQUEST TO DEPOSE WALLY UIHLEIN**

I, Thomas L. Halkowski, declare as follows:

1. I am a member of Fish & Richardson P.C., counsel of record in this action for Callaway Golf Company ("Callaway"). I am a member of the Bar of the State of Delaware and am admitted to this Court. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. Attached hereto as Exhibit 1 is a true and correct copy of "Inside look: Titleist's big makeover," as published in *Golfweek*, August 18, 2001. (AC0089551-89552)

3. Attached hereto as Exhibit 2 is a true and correct copy of "Economy hits golf industry," as published on *SouthCoastToday.com*, July 21, 2002. (CW0334979-334980)

4. Attached hereto as Exhibit 3 is a true and correct copy of an April 12, 2001 e-mail from Bill Morgan to Wally Uihlein. (AC0028868.UR-28877.UR)

5. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt from the April 26, 2007 deposition of Bill Morgan. (p. 52:5-20)

6. Attached hereto as Exhibit 5 is a true and correct copy of a May 1, 2000 Acushnet internal document titled, "Veneer Core Research." (AC0041525.UR-41527.UR)

7. Attached hereto as Exhibit 6 is a true and correct copy of “Going to Great Lengths,” as published in *Golf World*, September 22, 2000. (AC0089569)

8. Attached hereto as Exhibit 7 is a true and correct copy of “New Titleist ball is all the rage,” as published on *GolfWeb*, October 17, 2000. (AC0089540)

9. Attached hereto as Exhibit 8 is a true and correct copy of “The Fall Offensive: Manufacturers draw battle lines as new product is released,” as published in *Golf World*, October 13, 2000. (AC0089559)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 10<sup>th</sup> day of July, 2007 at Wilmington, Delaware.

/s/ Thomas L. Halkowski  
Thomas L. Halkowski

**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2007, I electronically filed **PUBLIC VERSION OF DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF CALLAWAY GOLF COMPANY'S PROFFER REGARDING ITS REQUEST TO DEPOSE WALLY UHLEIN** with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel. In addition, the filing will also be sent via hand delivery:

**VIA EMAIL AND HAND DELIVERY**

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Attorneys for Defendant  
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I hereby certify that on July 17, 2007, I have mailed the document(s) to the following non-registered participants:

**VIA EMAIL AND FEDERAL EXPRESS**

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ACUSHNET COMPANY

/s/ Thomas L. Halkowski

Thomas L. Halkowski